

**CRIMINAL DOCKET
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
THE UNITED STATES vs. <u>ARMANDO CASTILLO, (Bond) jail</u> Defendant.	For U. S.: Ben F. Baker Asst. U.S. Attorney For Defendant: James M. Robertson (ret) 2410 University Club Tower Tulsa (583-3129)

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed 5-1-74	Clerk	8/6/74	Robertson	5.00	5 00
J.S. 3 mailed 8-1-74	Marshal	8-8-74	C/D #7		
Suppl. 12-1-75 Violation Possession with intent to distribute.	Docket fee				
Title 21					
Sec. 841					
(1 Ct.: \$15,000 &/or 5 Yrs.)					

DATE	PROCEEDINGS
4-30-74	Indictment, filed in open court. v
4-30-74	Record vote of the Grand Jury, filed in open court. v
5-3-74	Magistrate papers added to file. v
5-8-74	Case set for arraignment and plea 5-14-74 at 10:00 a.m. (AEB-J)hm (notices mailed)
5-14-74	Case called for arraignment and plea. Deft. present and represented; govt. represented. Indictment read. Deft. enters a plea of NOT GUILTY and case is set for the next jury docket. Deft. given 10 days to file all Motions. (AEB-J)s /filed.
5-14-74	Appearance Bond set in the Amount of \$1,000, Personal. (AEB-J).S
5-14-74	Order specifying Methods and conditions of release, filed.s
5-22-74	Motion of def. to suppress evidence, w/brief attached, filed. rm
5-22-74	Motion of def. to inspect all books, papers, documents & tangible objects, filed. rm
5-22-74	Motion of def. to inspect grand jury minutes, filed. rm
5-22-74	Motion of def. to inspect all evidence favorable to him, filed. rm

DATE	PROCEEDINGS
5-22-74	Memor. brief in support of motions to inspect all evidence, etc., to compel production of books, etc., and to inspect grand jury minutes, filed.
5-23-74	It is Ordered by the Court that the Motion of defendant Armando Castillo to inspect all evidence favorable to him, the Motion of Defendant Armando Castillo to inspect the Grand Jury Minutes, the Motion of defendant Armando Castillo to inspect all books, papers, documents and Tagible objects, are hereby transferred to Morris Bradford, Magistrate. (AEB-J).s
5-29-74	Pltf's response to deft's pretrial motions, filed. hm <i>copy to Deft</i>
6-12-74	Findings and recommendations of Magistrate on certain pretrial motions of the defendant, filed. g <i>etc</i>
6-13-74	Order, filed, that def's Motion to Inspect Evidence Favorable, Motion for Discovery, Motion to Inspect Books, Papers, Documents, and Tangible Objects, and Motion to Inspect Grand Jury Minutes denied. Court Clerk to forward by mail copy of this Order to attorneys. lm
6-14-74	Case set for hearing on motion to suppress evidence Tuesday, 7-2-74 at 10:00 a.m. (AEB-J)sm (notices mailed 6-25-74)
7-2-74	Case called for hearing on motion to suppress evidence. Deft. not present, therefore case is reset for hearing on Motion to suppress July 10, 1974 at 10:00 A.M. (AEB-J)s
7-9-74	Case set for jury trial 7-22-74 at 9:30 a.m. (AEB-J)bm
7-10-74	Ordered by the Court that defendant's bond is revoked and bench warrant to be issued by for arrest of defendant (AEB-J)b Bench warrant issued.b
7-10-74	Case called for hearing on motion to suppress evidence. Deft. not present; Deft. counsel present. Govt. represented. Court passes hearing until Deft. arrested on bench warrant issued this date. (AEB-J)b
7-10-74	Ordered by the Court that the deft., having surrendered himself to the U.S. Marshal, shall be released on bond originally posted & order revoking Bond entered this date is vacated. (AEB-J)b
7-11-74	Case called for hearing on motion to suppress evidence. Deft's present & represented. Govt. represented. Rule invoked. Deft's witness sworn & testified - Alfred H. McCracken. Pltf's exhibits 1,2,&3 admitted in evidence. Deft. rests. Pltf's witness sworn & testified - James K. Storey; Pltf. rests. Arguments made by parties. Motion overruled & Govt. to prepare order. Govt. allowed to withdraw Exhibits 1,2,&3; Case heretofore set for 7-22-74 jury trial. Deft. allowed to remain under present bond. (AEB-J)b
7-16-74	Order Overruling deft's motion to suppress evidence, filed. (AEB-J) copies mailed. b
7-16-74	Warrant for Arrest, ret. & filed: deft. arrested 7-10-74, arraigned and released on previous \$1000 O/R bond. g
7-22-74	Case tried to a jury July 22 & 23rd. Deft. present & represented; Govt. represented. Parties announce ready. Jury selected & sworn. At close of Pltf's opening statement, deft's motion for dismissal & renewed Motion to suppress overruled (out of hearing of the jury). Upon pltf. resting, deft's renewed motion for dismissal overruled. At close of deft's case in Chief, deft's renewed motion to dismiss & to suppress overruled. Parties rest. Closing arguments made. Instructions given. Jury retires to deliberate at 3:53 P.M. Ct. recessed, jury excused until 9:00 A.M., 7-23-74, to continue (Continued)

DATE	PROCEEDINGS
7-22-74	(Cont'd) deliberating at that time; jury admonished.(4:57 P.M.) 9:00 a.m. July 23, 1974: All jurors present & continue deliberations. (10:10 A.M.) Jury returns with verdict finding deft. guilty as charged. Verdict ordered received, read & filed in open court. Jury polled & discharged. Deft. advised of right to appeal. Bond revoked & deft. remanded to Custody of U.S.M. Govt. requests withdrawal of Govt. Exhibits 1 thru 11, & it is so ordered. Sentence passed.(AEB-J)
7-23-74	Verdict, filed, finding deft. guilty. b
7-24-74	Case set for sentencing on 7-30-74, at 10:00 a.m.(AEB-J)b
7-30-74	Motion of deft. for judgment of acquittal after guilty verdict or in the alternative for a new trial, filed. lm <i>copy to dea</i>
7-30-74	Deft's Brief in support of motion for judgment of acquittal after guilty verdict or in the alternative for a new trial, filed. lm <i>copy to dea</i>
7-30-74	ORDER for disposition of evidence, filed (AEB-J)lm <i>copies made</i>
7-30-74	Case called for sentence. Deft. present and represented; govt. represented. Deft's motion for judgment of acquittal after a guilty verdict overruled. Deft. & counsel asked if they have anything to say before sentence is pronounced. Judgment and Sentence - ARMANDO CASTILLO (28) Atty. Gen. - Five (5) Years, and pay a fine unto the United States in the amount of \$15,000.00. It is further adjudged that the deft. is sentenced to a special parole term of two (2) years to commence at the expiration of the five-year sentence imposed herein. Deft. advised of right to appeal; deft. counsel makes oral notice of appeal & Court directs proper notice be given to Clerk. (AEB-J)hm
7-30-74	Judgment and Commitment, filed and entered. (AEB-J)hm
7-30-74	Two c/c of J&C delivered to USM. hm
8-6-74	Notice of appeal by def., filed. rm (copy to counsel and USCA)
8-16-74	Motion of def. for leave to appeal in f.p., filed. rm
8-16-74	Affidavit of def. in support of mo/appeal in f.p., filed. rm
8-16-74	Designation of record on appeal, filed. rm
8-20-74	Order, filed, granting def. motion for leave to appeal in f.p. at expense of govt. (AEB-J)rm - copies to USCA, counsel & ct. reporter
9-4-74	J&C, ret. & filed: deft. delivered to F.C.I., Texarkana, Texas on 8-22-74. g
9-10-74	ORDER, filed, Extending Time for Filing and Docketing of Appeal(AEB-J)jj copies mailed
9-19-74	Transcript of hearing held 4/22/74 before Magistrate M. Bradford, filed.rm (Millie Ballard-C.R.)
10-23-74	Transcript of arraignment and pleas, had on 5/14/74, filed. (Larry Marks-CSR)
10-23-74	Transcript of hrg. on mo/suppress evidence, had on 7/11/74, filed. (Larry Marks-CSR) rm
10-23-74	Transcript of jury trial had on 7/22 and 7/23/74,filed.(Lary Marks-CSR)rm
10-23-74	Transcript of sentencing had on 7/30/74, filed. (Larry Marks-CSR) rm

DATE	PROCEEDINGS
10-31-74	Appeal record (orig. & 3 copies, 6 volumes) transmitted to USCA. rm
11-21-75	Mandate and Opinion of USCA, reversing case and remanding to USDC, Northern District of Oklahoma, with directions to dismiss the indictment against def, filed and spread of record. rm
11-24-75	Order, filed & entered, reversing judgment of conviction entered 7-31-74 and dismissing indictment, pursuant to Mandate of USCA. (AEB-J)g (cpy to counsel & USM.)
12-3	Appeal record (6 vols.) received from USCA.rm
12-9	Order of Dismissal, ret. & filed: executed by USM mailing a copy of the Order to the Federal Correctional Institution at Texarkana, Tx. on 12-2-75. g